

Remarks:

Applicants reply to the final Office Action dated February 09, 2010 within two months. Claims 1, 3-5, and 15 were pending, and the Examiner rejects claims 1, 3-5, and 15. Claim 15 is cancelled without prejudice to filing one or more claims having similar subject matter. Claims 16-31 are new. Support for the amendments and new claims may be found in the originally-filed specification, claims, and figures. No new matter has been introduced by these amendments and claims. Reconsideration of this application is respectfully requested.

Rejection under 35 U.S.C. § 103(a)

The Examiner rejects claims 1, 3-5, and 15 as being unpatentable over Von Kohorn, US Patent No. 5,034,807, (“Von Kohorn”) in view of Roseman, US Patent No. 6,608,636 (“Roseman”). Applicants respectfully disagree with this rejection, but Applicants amend certain claims, in order to clarify the patentable aspects of certain claims and to expedite prosecution.

Von Kohorn generally teaches a system and method for evaluating responses to broadcast programs, such as television programs, (abstract). Specifically, using the system of Von Kohorn, “included at the site of each viewer is the external or remote audience is a television set, plus electronic response equipment having circuitry for reception of the instructional signal group transmitted from a central station, the response equipment also including a keyboard for designating answers or responses to the questions, timing circuitry, circuitry for comparing a response to one or more designated answers to determine acceptability of a response, scoring circuitry, and a recording device for recording answers to the question.” (col. 3, lines 5-14). Also, “in the event that a two-way cable system is available, such system may be used to advantage in the practice of the invention by providing for transmission of the television program to a remote audience while also enabling members of the remote audience to communicate responses or other commentary back to the broadcasting station,” (col. 2, lines 56-62). Von Kohorn is silent to and thus does not disclose or contemplate a “presenting additional marketing information associated with the transferred marketing information by a distinct second interface to the remote recipient,” as recited by independent claim 1, (emphasis added) and similarly recited by independent claims 30 and 31. The devices of Von Kohorn capable of entering information are not described as being capable of presenting additional information, let alone capable of presenting additional marketing information.

Also, the system of Von Kohorn does not disclose or contemplate “a database configured to store a plurality of proposed strategies” or “a processor configured to select at least one proposed strategy stored on the database,” as recited by independent claim 1, (emphasis added) and similarly

recited by independent claims 30 and 31. The “recording device for recording answers to the question” as taught by Von Kohorn is a local recording device such as “a card of plastic, or similar material, and including a well-known strip of magnetizable material (not shown) upon which the score and or responses have been recorded” (col. 9, lines 7-11) not a searchable database containing a plurality of proposed strategies.

Moreover, Von Kohorn is silent to and thus does not disclose or contemplate “transferring the selected proposed strategy, by the first media source distinct first interface, within a second show, of the series of shows,” as recited by independent claim 1, (emphasis added) and similarly recited by independent claims 30 and 31. Von Kohorn discloses a system where a viewer may participate at home simultaneously with a televised program but not impact the information presented in a second show of a series of shows.

Roseman generally discloses “remote conferencing systems of the multi-media type,” (abstract). Roseman, alone or in combination with Von Kohorn, does not disclose or contemplate at least “presenting additional marketing information associated with the transferred marketing information by a distinct second interface to the remote recipient” or “a database configured to store a plurality of proposed strategies” or “a processor configured to select at least one proposed strategy stored on the database,” as recited by independent claim 1, (emphasis added) and similarly recited by independent claims 30 and 31.

Dependent claims 3-5 variously depend from independent claim 1. Therefore, Applicants assert that dependent claims 3-5 are patentable for at least the same reasons stated above for differentiating independent claim 1, as well as in view of their own respective features. Accordingly, Applicants respectfully request that the Examiner reconsider and withdraw the rejection of dependent claims 3-5.

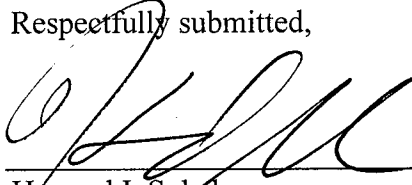
Claims 16-31 are new. Applicants assert Claims 16-31 are patentable for at least the same reasons stated above for differentiating independent claim 1, as well as in view of their own respective features.

When a phrase similar to “at least one of A, B, or C” or “at least one of A, B, and C” is used in the claims or specification, Applicants intend the phrase to mean any of the following: (1) at least one of A; (2) at least one of B; (3) at least one of C; (4) at least one of A and at least one of B; (5) at least one of B and at least one of C; (6) at least one of A and at least one of C; or (7) at least one of A, at least one of B, and at least one of C.

Applicants respectfully submit that the pending claims are in condition for allowance. The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account No. **19-2814**. Applicants invite the Examiner to telephone the undersigned, if the Examiner has any questions regarding this Reply or the present application in general.

Respectfully submitted,

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By: 
Howard I. Sobelman
Reg. No. 39,038

SNELL & WILMER L.L.P.
400 E. Van Buren
One Arizona Center
Phoenix, Arizona 85004
Phone: 602-382-6228
Fax: 602-382-6070
Email: hsobelman@swlaw.com